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COMMISSION ON HUMAN RIGHTS
Fifty-seventh session
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PROMOTION AND PROTECTION OF HUMAN RIGHTS: SCIENCE AND ENVIRONMENT

Written statement*/ submitted by the Women's International League for Peace and Freedom, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 March 2001]

*/ This written statement is issued, unedited, as received from the submitting non-governmental organization(s).

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Protection of the Human Rights of the Chernobyl Victims
Promotion of the International Support and Compensation

15 years after the Chernobyl Accident: Global radioactive contamination, continuing irradiation and radiation injury extending to the next generation

The Chernobyl accident released huge amount of radioactive materials. The amount of Cesium 137 is estimated about 600 times as much as that of the Atomic-bombing in Hiroshima. According to the report from the UN, at least 9 million people have been affected in the three suffering republics of Belarus, Ukraine and Russia. Almost 400,000 people have been forced to leave their homes. The contaminated areas extend to 5,200,000 km2 including such areas contaminated (more than 0.1 Ci/km2 of Cesium 137 contamination) beyond the effect of the past nuclear testing in the atmosphere. Even more than 10 years have passed, 145,000 km2 of contaminated areas are remaining in the three suffering countries. This area is about 3.5 times as large as that of Switzerland. Even in countries as Japan carrying out pro-nuclear policy, areas of contamination of above 1 Ci/km2 (Cesium 137) are stipulated as "Radiation Control Area" and people cannot enter without permission. However more than 6,500,000 people are still living in such level of contamination areas in the three suffering countries. People have been irradiated internally and externally there. For the economical difficulties the three suffering countries cannot have prospect to make money for the farther evacuation. According to the result of the research of Belarussian scientists, radiation exposure level of children in the contaminated areas (15-20 Ci/km2) was biologically estimated as 200 – 500 mSv already at the time after few months from the accident. (The radiation exposure level of 500 mSv is roughly equal to that of Atomic-bomb victims in Hiroshima bombed at 1.5 km from the hypocenter without any cover. However the level in Hiroshima is estimated as external exposure in a moment.)

The health condition of the Chernobyl victims are getting worse and worse. The thyroid glands of the people were exposed to radioactive iodine released by the accident. (The amount of radioactive iodine is estimated about 40 times as much as that of Atomic-bombing of Hiroshima.) As the result of the radiation exposure of thyroid gland, thyroid cancer is increasing not only among children but also among adult people. Especially childhood thyroid cancer is increasing rapidly. The WHO also reported that the incidence of childhood cancer in Gomel, the most contaminated state in Belarus, become 100 times as higher than that before the accident. In Belarus not only thyroid cancer but also other kinds of cancer such as lung cancer, breast cancer and renal cancer are increasing after the accident. According to the National Report of Belarus, the incidence of these cancers has the trend to increase according to the level of contamination. Many kinds of diseases other than cancer, such as blood and bone marrow, endocrine, gastrointestinal, immune and respiratory diseases are increasing and the rate of healthy people is decreasing every year. Many children and liquidators (the people who engaged in any kinds of job related to the accident in highly contaminated areas) complain many symptoms such as fatigue declined power of concentration, headache and frequent nasal bleeding. These symptoms are in a whole very similar to those of Atomic-bomb victims. ("Genbaku-Bura-Bura Disease") The radiation injury extends now to the next generation. According to the National Report of Belarus, the incidence of the congenital diseases in contaminated areas is increasing, and the increasing rate is higher in the most contaminated areas than less contaminated areas. Moreover economical crisis in the three suffering countries have been making people's life difficult. People have contaminated food more often than before to survive in such economical situation. As the result of this, the amount of radioactive materials in the bodies of people in the contaminated areas is even increasing every year.

While the health condition of people is getting worse, they are always in short of essential medicine and medical equipment in the hospitals. Without the continuous help of the NGOs from abroad, the medical activities and rehabilitation for the victims would be more difficult.

The violation of the fundamental human rights of the Chernobyl victims

In the UN, it has been declaring that the three Fundamental Human Rights; "the right to live" "the right to health and medical care" "the right to environment", should be protected.

"The International Bill of Human Rights" (General Assembly resolution, 1948), proclaimed that "everyone has the right to live, liberty and security of person" (Article 1) and also "has the right to a standard of living adequate for health and well-being ----including medical care and necessary social services, and the right to security in the event of ----sickness (and) disability." (Article 25)

"The Declaration of the Human Environment" (the UN Conference on the Human Environment, Stockholm, 1972), proclaimed in the beginning that "both aspects of man's environment, the natural and man-made, are essential to his well-being and to the enjoyment to basic human rights - even the right to life itself" and "man has the fundamental right to freedom, equality and adequate condition of life, in an environment of a quality that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment for present and future generations."

The Chernobyl victims have been suffering for these 15 years, with continuous threat to health and life by radiation, but without any neither adequate relief nor compensation. They have been forced to live, even now, in the environment of continuous contamination by radioactive materials. Such situation of the Chernobyl victims is clearly a violation of the Fundamental Human Rights.

In the "Convention on the Rights of the Child" (General Assembly resolution, 1989), it was agreed that "States Parties recognize the right of the child to enjoyment of the highest attainable standard of health and facilities for treatment of illness and rehabilitation of health." (Article 24) The radiation from Chernobyl has been affecting especially children including future generations. We can never leave unattended the health injuries of the Chernobyl children including rapid increase of thyroid cancer nor inadequate situation of medical and health care to them.

From the viewpoint of "Human right and scientific and technological development" the human rights of the Chernobyl victims and other radiation victims should be assessed

The UN has been working for issues of "Scientific Progress and Human Rights." Also from this point of view, the UN should make it clear that human rights of many people in the world, including Chernobyl victims, have been violated by the use of nuclear under the name of "scientific progress." It should make effort to promote support and compensation to the radiation victims. The International Court of Justice already expressed the advisory opinion that nuclear weapons are illegal according to the international lows of human rights. It pointed out the necessity to consider the special effect of nuclear weapons, especially its destructive power, the power giving inexpressible pain to people and also the power injuring the future generations. Because of the special effect of nuclear, also the "peaceful use of nuclear" as nuclear power plants makes injury similar to that caused by the military use of nuclear. The severe accident of a nuclear power plant is also destructive to environment and people's life and health. It gives inexpressible pain to people and injures the future generations. It is "nuclear genocide" lasting for years. The radiation injury by Chernobyl accident is an actual proof of it. The injury was not caused by the economical and social specificity of the suffering countries. It was caused by the specificity of nuclear. Even if a severe nuclear accident does not happen, nuclear fuel cycle, in its every process, daily brings radiation exposure to workers and radioactive contamination around facilities. Moreover it has been creating and accumulating "the negative legacy" of nuclear waste that cannot be disposed safely with present scientific technology. Some of the materials will remain radioactive semi-permanently.

We conduct the campaign to demand the international support, compensation and protection of human rights of Chernobyl victims also in solidarity with other radiation victims.

The underestimation of the radiation injury of Chernobyl ignores the human rights of the victims and delays relief and compensation for the victims

At the International Conference on "ONE DECADE AFTER CHERNOBYL: Summing up the Consequences of the Accident," held in April of 1996, sponsored by the IAEA and some other international organizations, it was stated, "A highly significant increase in the incidence of thyroid cancer among those persons in the affected areas who were children in 1986 is the only clear evidence to date of a public health impact of radiation exposure as a result of the Chernobyl accident." However, they never conceded any other health disorders of Chernobyl victims as the result of radiation exposure. They also stated, "Increase in the frequency of a number of non-specific detrimental health effects other than cancer among exposed population ----- if real, might also reflect effects of stress and anxiety." They stated this as if such health disorders had no relation to radiation and were caused purely by psychological stress. Scientists from the three suffering republics also attended the conference and many scientific reports were presented there. However, most of the reports about the serious radiation effects from the scientists from these three republics were ignored and not adopted in the final results of the conference. However, many scientists from the world have been strongly protesting against the IAEA's report.

The UNSCEAR reported to the UN general assembly the increase of thyroid cancer of children. However, they denied the increase of leukemia even among the recovery operation workers. The scientists of the Ukraine have been protesting to the UNSCEAR report showing their own data.

Propaganda of the underestimation of the radiation injuries of the Chernobyl disaster has been concealing and falsifying the fact. It infringes upon the human rights of Chernobyl victims actually suffering from serious radiation injuries.

Make the plight of the Chernobyl victims known worldwide
Promote the international support and compensation for the Chernobyl victims

The three suffering countries having economical difficulties without international help can never solve such global contamination and serious radiation disaster. We must make the plight of the Chernobyl victims known worldwide, protect their human rights and promote the international support and compensation for them. The UN and other international organizations should be more active for this purpose. The WHO, OCHA and other UN organization have already making effort for the Chernobyl projects. Their activities should be based on the fact, never on the underestimation.

On the occasion of the 15th anniversary of the Chernobyl accident, we request the UN Human Right Committee to play active role to promote the following agenda.

1) to make the plight of the victims and the violation of their human rights known worldwide. The appeals for medical, economic and social assistance for the affected countries and individuals should be assessed and reported by independent medical personnel. The technical staff of the IAEA, which is mandated with the promotion of nuclear energy, cannot be considered competent for this purpose.

2) to recommend an immediate stop to current proposals to relax radiation protection standards for contaminated land and food, to relocate people on contaminated land and to return contaminated soils to agricultural uses.

3) to recommend an immediate reduction to "permissive radiation levels" for both workers and the general public. It is important to avoid to make any more nuclear victims. The current proposal from the ICRP ('Control' and 'ALARP') is not acceptable because it deeply violates the human rights of the nuclear victims.

4) to promote the establishment of a concrete system of international support and compensation for the Chernobyl victims.

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COMMISSION ON HUMAN RIGHTS
Fifty-seventh session
Item 9 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Written statement*/ submitted by the International Federation of ACAT (Action by Christians for the Abolition of Torture) , a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[24 January 2001]

*/ This written statement is issued, unedited, as received in English, French and Spanish from the submitting non-governmental organization(s).

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Reestablishing peace in Chechnya and in the Moluccan Archipelago

FI.ACAT would like to draw the Commission's attention to the massive and systematic human rights violations during the armed conflicts in Chechnya and the Moluccan islands; the main victims have been the civilian populations.

Human Rights situation in Chechnya

For more than 14 months the Russian authorities have been waging a new and bloody war against the Chechen people which, according to the President of Chechnya, Aslan Maskhadov, has already killed more than 40 000 civilians.

The organisation 'the mothers of the St Petersburg soldiers', set up to protest against the sufferings of young army conscripts at the hands of their officers and older comrades, has put before the Parliamentary Assembly of the Council of Europe horrifying documents on 'violations of the rights of civilians, prisoners and soldiers during the military operation in the Chechen Republic during the period from autumn 1999 to February 2000'. They show that, according to evidence even from soldiers and junior officers of the Russian army, the Russian military command has flouted all the international conventions and encouraged its troops to carry out criminal acts, showing no mercy to combatants or civilians.

Civilians are not safe even if they hide in caves, as toxic gas is released to force out Chechen fighters. In the Argunsk gorge, the army dropped fragmentation bombs on villagers. Hundreds of villages all over the country were destroyed, ground to ground missiles crushed the central maternity hospital in Grozny, the mosque at Kalinin and the central market, where more than 280 people were killed. Hospitals and columns of refugees were also targeted. 'Search operations' did not spare women, children or old people. The capital, Grozny, a town of 450 000 inhabitants, was completely destroyed.

In view of this situation, FI.ACAT calls on the Commission on Human Rights:

- to condemn unequivocally the massive and systematic human rights violations in Chechnya;
- to set up an international and independent committee of inquiry into the atrocities in Chechnya, not merely a national committee as it called for at its last session (Resolution 2000/58,
- to urge the Russian Government to commit itself unequivocally to implementing essential measures to reestablish peace, in particular:

* accepting an immediate halt to the fighting and the withdrawal of its troops from the territory of Chechnya,
* bringing before the courts the alleged perpetrators of the violations (which the National Public Committee and the office of the Russian President's special human rights representative in Chechnya have not always done),
* and making a firm commitment to the peace negotiations which began with the protocol signed with the representatives of the Chechen independence movement on 23 December 2000.

Human Rights situation in the Moluccan Archipelago

Major obstacles have been placed in the way of building democracy in Indonesia. Even though Mr Wahid's government has taken important decisions to put an end to corrupt

practices, collusion and nepotism, there is considerable progress still to be made on human rights.

A terrible example is the situation in the Moluccan islands. Since January 1999 the conflict between Christians and Muslims has taken a dramatic turn for the worse, particularly since the arrival in spring 2000 of mostly Javanese armed and trained fighting men from the Jihad (known as Laskar Jihad).

On the pretext that they had come to protect their Muslim brothers who were under threat, these radical Muslims have turned the Moluccan conflict into a 'religious cleansing' campaign. Instances of forced conversion to Islam are becoming more and more frequent. According to local Christian sources, 5000 new converts to Islam have just been identified in the Tehoru district in the east of Seram island. All of them came from a community left for dead some months previously after a series of attacks by the Muslim militia. They were forced to change their religion to save their lives! Further north, on the island of Halmahera, several dozen Christian refugees from the village of Duma were transported to the neighbouring Muslim island of Tidore. There, the women were forced to marry Muslims and the men forcibly circumcised. In mid-December 2000, the governor, Mr Saleh Latuconsina, himself admitted to the press – on the subject of the islands of Keswui and Teor – that it could no longer be denied that they had undergone forced conversion to Islam.

The Indonesian Government's efforts to reestablish order and begin a dialogue between Christians and Muslims have not been enough to stop the fighting or the violence suffered every day by the inhabitants of the Moluccas: 4000 innocent people are already dead and another 500 000 are refugees who have lost everything. In the impassioned words of Pastor Jacky Manuputty: 'For two years we have seen physical, mental, social and economic destruction. But the most painful of all is knowing that we will see the destruction of the future generation'.

FIACAT deplores this situation and calls on the Commission to urge the Indonesian Government to take all necessary measures:

- to repatriate all combatants from outside the Moluccas,
- to exercise better control over the army and police in these islands and ensure that the security forces provide protection to the civilian population rather than supporting one or other side in the conflict,
- to provide protection and safety to the refugees,
- to seek out the instigators of violence and those guilty of the massacres and bring them to justice.

FIACAT supports the local peace efforts and calls on the Commission to urge the Indonesian Government to support the national campaign led by the Muslim and Christian authorities which aims, inter alia, to:

- establish neutral zones in Ambon where Muslims and Christians can meet each other in peace,
- set up a truth and reconciliation commission, with aims which would include investigating the causes of the conflict.

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COMMISSION ON HUMAN RIGHTS
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CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF: TORTURE AND DETENTION

Written statement*, submitted by the International Federation of ACAT (Action by Christians for the Abolition of Torture), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[24 January 2001]

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The third millenium is here –
and torture still persists

Aware of the heinous persistence of torture in half the countries of the world,

Recalling the impetus given to the war against torture at the World Conference on Human Rights in Vienna in June 1993 and the solemn promises made at that time, on the eve of the third millenium,

the International Federation of Action by Christians Against Torture (FI.ACAT) is determined that the international community must continue the efforts it has made so far and not give up the fight.

1. In view of the fact that the mandate of the Special Rapporteur on Torture will expire soon.
In view of the importance of his role, particularly for urgent cases,
In view of the hitherto unprecedented universal scope of his mandate,
In view of his excellent work in speeches and reports and his perseverance in helping countries to combat the scourge of torture and abuse,

FI.ACAT calls on the Commission on Human Rights to renew his mandate.

2. In view of the relatively small number of signatory countries to the Convention against Torture, and the even smaller number having formulated declarations with regard to its Articles 21 and 22, which recognise the Committee Against Torture as a competent body to receive allegations and complaints and act on them,
In view of the large proportion of torture cases among the very countries which have not yet ratified or signed this convention,

FI.ACAT calls on the Commission on Human Rights to make further efforts to encourage countries to sign the Convention and issue declarations with regard to Articles 21 and 22.

3. Considering the urgent need, which has often been expressed, for a worldwide system of visits to detention centres,
Noting the difficulties encountered by the Working Group charged with drawing up an optional protocol to the Convention against Torture in obtaining an acceptable consensus and finalizing its text,
Having regard to the fact that 41 European countries already have a system of this kind, which has proved effective and which operates judiciously according to the principles of confidentiality and cooperation in a common endeavour to prevent torture,
Whereas this project, which helps to protect people against abuses of power, corresponds to the wishes of the citizens and NGOs of numerous countries in the rest of the world,

As prevention of torture and effective action against abuse should not be confined to the European continent alone, FI.ACAT calls on the Commission on Human Rights to encourage the countries taking part in the ad hoc working group to make further efforts so that in the near future they can put forward proposals for a worthwhile system.